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**BOARD OF VETERINARY
MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS
DOCKET NO.

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action
:
JAMES J. ROSENTHAL, V.M.D. : CONSENT ORDER
:
TO PRACTICE VETERINARY MEDICINE :
IN THE STATE OF NEW JERSEY :

This matter was opened to the Board of Veterinary Medical Examiners on or about September 1, 1994 upon the filing of a Complaint for the suspension or revocation of the license of James J. Rosenthal, V.M.D., to practice veterinary medicine in the State of New Jersey, said Complaint alleging that on more than one occasion respondent had allowed, encouraged, aided and abetted the unlicensed practice of veterinary medicine by veterinary technicians in his employ; had removed or altered the expiration dates on medication labels or placed another label over the expiration date to obscure the expiration date; had administered these expired medications to patients and dispensed and sold them to his clients; had re-used disposable syringes and/or needles; had received and utilized surgical garments which had been previously used at a local hospital; and had disposed of used needles/syringes in an unapproved manner, in violation of

N.J.S.A. 45:16-6(e), (g), (i) and (j), N.J.A.C. 13:44-2.5, and N.J.S.A. 45:1-21(b), (c), (d) and (e). Respondent's answer was filed on or about October 17, 1994.

Michael S. Karpoff, Esq., appearing as counsel for Dr. Rosenthal, and the parties wishing to settle this matter without the necessity for further proceedings, and the Board of Veterinary Medical Examiners being satisfied that this Consent Order is adequately protective of the public health and welfare,

IT IS on this 26th day of July, 1995,
ORDERED that:

1. The license of James Rosenthal, D.V.M., to practice veterinary medicine in the State of New Jersey shall be suspended for a period of three years, all but three months of that period to be stayed and served as a period of probation.

2. The three-month active suspension shall be served during three calendar months over the three-year period, the first to be the month of December 1995, the second to be the month of February 1996 and the third to be the month of February 1997.

3. In the event of an application to reschedule a month of active suspension, such application shall be submitted to the Board no less than sixty (60) days before the earlier of the original date or the new date.

4. During each week of active suspension Dr. Rosenthal shall serve no fewer than thirty (30) hours of community service, such service to be approved in advance by the Board.


5. In the event that Dr. Rosenthal elects to attend a continuing education program during a week within any period of active suspension,

he shall make up that week's community service during another week of that month. Community service requirements shall be reduced in the amount of one half hour for each hour of such continuing education. Documentation of attendance at such continuing education programs shall be provided to the Board.

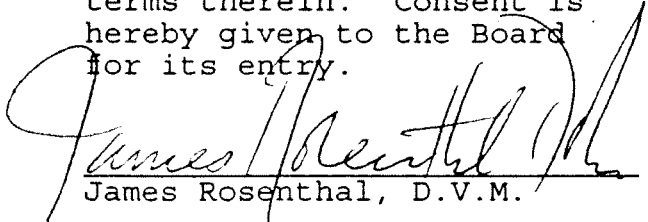
6. Dr. Rosenthal shall pay to the Board a civil penalty in the amount of \$5,000.00 and costs of inspection of the hospital facility and of investigation in the amount of \$7,710.73. Payment of the total of \$12,710.73 shall be made in three equal annual installments, the first of which shall be made upon receipt by Dr. Rosenthal of a fully executed Consent Order.

7. The Board will not send press releases pertaining to this Consent Order to Dr. Rosenthal's local newspapers.

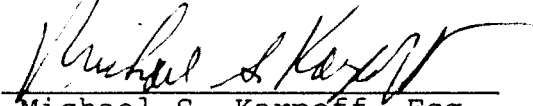
BOARD OF VETERINARY
MEDICAL EXAMINERS

BY 
Ernest Zirkle, D.V.M.
President

I have read and understood
the within Order
and agree to be bound by the
terms therein. Consent is
hereby given to the Board
for its entry.


James Rosenthal, D.V.M.

PERL, KARPOFF & KESSLER, P.C.
Attorneys for James Rosenthal

By: 
Michael S. Karpoff, Esq.